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POLICY OFFICE

January 9, 2015

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Jim Skinner, Department of Transportation, Policy & Planning, Helena MT, 59620
Environmental Quality Council, Capitol Complex, Helena, MT 59620
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Ladies and Gentlemen:

To comply with the Administrative Rules of Montana (ARM), specifically ARM 17.4.609, the Department of Environmental Quality (DEQ) has prepared the enclosed Environmental Assessment (EA) concerning Ace Towing, a motor vehicle wrecking facility.

The purpose of this EA is to inform all interested governmental agencies, public groups, and individuals of the proposed action and to determine whether or not the action may have a significant effect on human health and the environment. The public has until close of business on February 9, 2015, to submit written comments concerning the proposal. DEQ will not make a licensing decision until at least 30-days after publication of the EA.

If you wish to comment on this proposed action within the 30-day public comment period, please do so in writing, by mailing, your comments to the Waste and Underground Tank Management Bureau, Motor Vehicle Recycling & Disposal Program, P.O. Box 200901, Helena, MT 59620-0901 or by email to mailbox WUTBComments@mt.gov.

If you have any questions or need additional information, please contact me at the Permitting and Compliance Division, Waste and Underground Tank Management Bureau, Motor Vehicle Recycling & Disposal Program.

Sincerely,

A handwritten signature in black ink that reads "Brady Christensen". The signature is written in a cursive, flowing style.

Brady Christensen, CHMM
Motor Vehicle Recycling & Disposal Program
(406) 444-3048 or email at bchristensen@mt.gov

Enc: Environmental Assessment

**DEPARTMENT OF ENVIRONMENTAL QUALITY
PO Box 200901, Helena, MT 59620-0901
(406) 444-5300**

ENVIRONMENTAL ASSESSMENT (EA)

The Montana Department of Environmental Quality (DEQ) licenses and regulates motor vehicle wrecking facilities under the authority of the Motor Vehicle Recycling & Disposal Act (75-10-501, MCA) and Administrative Rules of Montana (ARM 17.50.201).

Division/Bureau: Permitting & Compliance \ Waste and Underground Tank Management \ Solid Waste Section \ Motor Vehicle Recycling and Disposal Program

General Comments

To be eligible for licensing, a proposed wrecking facility must:

- 1) Be in compliance with all existing zoning ordinances on the date the license application is submitted to DEQ.
- 2) Be capable of being shielded from view of any existing public road. If the license application is approved, the applicant must construct all necessary shielding prior to the issuance of the license and commencement of operation at the facility.
- 3) Not create any adverse environmental impacts.

Project or Application: Ace Towing, a Montana firm, has proposed a private motor vehicle wrecking facility in Hill County.

Description of Project: The proposed motor vehicle wrecking facility will be in Hill County. This facility will be located at 2255 Bullhook Road, Havre, Montana. The legal description of the facility is the SW ¼ of Section 15, Township 32 North, Range 16 East. The facility is approximately 2.5 acres in size. Reference Figures 1 and 2 on page 2.



Figure 1: Ace Towing proposed site in Havre, Montana.

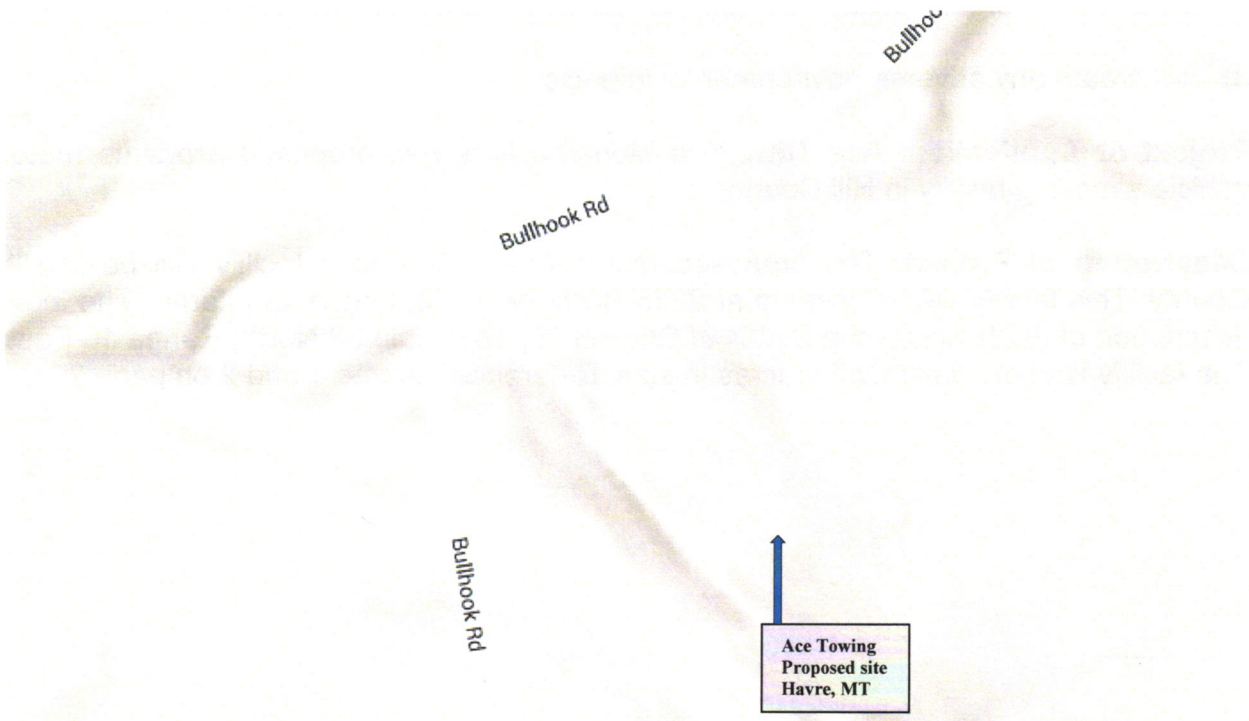


Figure 2: Ace Towing proposed site Topographical Map

Purpose of Proposal: By obtaining a motor vehicle wrecking facility license, the applicant will be allowed to: (1) Buy, sell, or deal in four or more vehicles per year of a

type required to be licensed, for the purpose of wrecking, dismantling, disassembling, or substantially altering the form of the motor vehicle, (2) Buy or sell component parts, in whole or in part, and deal in second-hand junk vehicles, (3) Purchase wrecked vehicles from insurance companies. Insurance companies are required by state law to sell junk vehicles only to licensed motor vehicle wrecking facilities. This business if licensed will provide a commercial source of automotive parts at a cost savings to the consumer, and (4) This business will also recycle all the ferrous metals and non-ferrous metals that were not sold to the general public. Recycling metals will conserve energy and natural resources otherwise used to manufacture new automotive parts.

Benefits of Proposal: By obtaining a motor vehicle wrecking facility license, the applicant will be allowed to: (1) Purchase junk vehicles from the general public and insurance companies which will contribute to the overall cleanliness of the community in which it is located; (2) The facility will be required by statute to shield the junk vehicle from public view; (3) The facility will be required to handle all automotive waste in an environmentally safe manner; and (4) This service will conserve energy and natural resources otherwise used to manufacture new parts.

Description and analysis of reasonable alternatives, whenever alternatives are reasonably available and prudent to consider by the applicant and DEQ:

Alternative #1 - Not to license and establish a facility at this location. This would limit public access to used automotive parts and limit the amount of automotive parts for recycling.

Alternative #2 - To license and establish a facility at a location other than the one proposed in the license application. This would require the applicant to find and acquire by purchase or lease a different parcel for the proposed usage. At the time this application was made, DEQ was not made aware that any other location was considered.

Alternative #3 – Considered by DEQ – To license the site due to the applicant's ability to meet the requirements of the Motor Vehicle Recycling & Disposal Program Act and associated rules.

A listing and appropriate evaluation of mitigation, stipulations, and other controls enforceable by the agency or another government agency: Automotive fluids must be drained from the vehicles prior to dismantling. All fluids removed from the vehicles must be captured over an impermeable surface, properly containerized, and properly stored for reuse, recycling, or proper disposal. This is a license condition enforceable by DEQ.

CFCs (Freon) must not be released to the environment. This is a federally enforceable requirement and is enforced by the United States Environmental Protection Agency.

Recommendation:

DEQ has made the preliminary determination that the applicant is in compliance with the existing zoning ordinances as of the date of the submittal of the application and can effectively shield the proposed facility from all public roads in the area.

The purpose of the EA is to determine if the proposed motor vehicle wrecking facility can be licensed and operated without posing significant adverse environmental impacts by seeking public input.

If an Environmental Impact Statement (EIS) is not required, explain why the EA is an appropriate level of analysis: Based on the information submitted for review with the license application, it is clear that the facility will handle all automotive fluids as required by law, shield the facility as required by law, and meet all Hill County zoning ordinances. It is the preliminary determination of DEQ that an EA will provide an adequate review for this proposal.

Other groups or agencies contacted or which may have overlapping jurisdiction: Hill County Commissioners.

Individuals or groups contributing to this EA: Montana Department of Natural Resources and Conservation; United States Department of Agriculture, Natural Resource Conservation Service; Montana Historical Society, and State Historic Preservation Office.

EA prepared by: Brady Christensen

Date: January 9, 2015

POTENTIAL IMPACT ON PHYSICAL ENVIRONMENT

	Maj	Mod	Min	None	Unkn	Att
1. Terrestrial and Aquatic Life and Habitat			xxx			xxx
2. Water Quality, Quantity, and Distribution			xxx			xxx
3. Geology and Soil Quality, Stability and Moisture			xxx			xxx
4. Vegetation Cover, Quantity and Quality				xxx		xxx
5. Aesthetics				xxx		xxx
6. Air Quality			xxx			xxx
7. Unique, Endangered, Fragile or Limited Environmental Resources				xxx		
8. Demands on Environmental Resources of Water, Air, and Energy				xxx		
9. Historical and Archaeological Sites				xxx		xxx

*Maj = Major; Mod = Moderate; Min = Minor; Unkn = Unknown; Att = Physical Environment Impacts Section
CUMULATIVE AND SECONDARY IMPACTS: The potential impacts on the physical environment will be minimal because of the proposed management practices. Upon closure of the facility and removal of the junk vehicles the aesthetics of the site will return to their original state.

POTENTIAL IMPACT ON HUMAN ENVIRONMENT

	Maj	Mod	Min	None	Unkn	Att
1. Social Structure and Mores				xxx		
2. Cultural Uniqueness and Diversity				xxx		
3. Local and State Tax Base and Tax Revenue			xxx			xxx
4. Agricultural or Industrial Production				xxx		
5. Human Health				xxx		
6. Access to and Quality of Recreational and Wilderness Activities				xxx		
7. Quantity and Distribution of Employment			xxx			xxx
8. Distribution of Population				xxx		
9. Demands for Government Services			xxx			xxx
10. Industrial and Commercial Activities				xxx		
11. Locally Adopted Environmental Plans and Goals				xxx		xxx

*Maj = Major; Mod = Moderate; Min = Minor; Unkn = Unknown; Att = Human Environmental Impact Section
CUMULATIVE AND SECONDARY IMPACTS: The impacts for local and state tax base and tax revenue will be minor. The quantity and distribution of employment will be minor to none. The demands for government services will be minor to none and will be covered by county and state MVRDP staff.

ACE TOWING – ENVIRONMENTAL ASSESSMENT

Potential Impacts on Physical Environment

1. Terrestrial & aquatic life habitats
4. Vegetation cover, quantity and quality

The proposed facility is sited in Havre, Montana. This wrecking facility is surrounded by vacant land around the immediate boundaries of the facility. There are a few sparsely scattered residences within a ½ mile of the facility. The impacts caused by the wrecking facility activities should not be significant to the area's ecosystem since the surrounding area is also used for various businesses. The vegetative cover, quantity and quality will have minor to no impacts.

2. Water quality, quantity, and distribution

Due to the underlying rock formations in the area, most of the neighboring residences haul water to their properties instead of the use of wells. The static ground water level of the nearest wells averages 120.5 feet BGS. This proposed motor vehicle wrecking yard is not expected to have any impacts on the quality, quantity, and distribution of the ground water because of the business's planned management practices. These practices will include the removal of the automotive fluids over an impermeable pad before the junk vehicles are processed. These auto fluids will be either reused or properly recycled.

3. Geology and soil quality, stability, and moisture

The soils in the vicinity of the site are classified by the U.S. Natural Resource Conservation Service as Hillon loams and Joplin loams. These soils are well drained, 0 to 60 percent slope, and more than 80 inches to the water table. One section on the west side of the property is classified as Zahill-Rock outcrop-Whitlash complex, classified as well drained, 15 to 60 percent slope and more than 80 inches to the water table. Waste anti-freeze, gasoline, and lubricating oils contain petroleum distillates, heavy metals, and possibly toxic compounds. If improperly disposed of, can cause surface and groundwater degradation. The applicant proposes to properly reuse or recycle all of the above-named automotive fluids. Some residual lubricating oils and anti-freeze may drip from the vehicles stored at the facility. This residual dripping is not expected to be significant or result in heavy soil accumulations because the junk vehicles will have the fluids removed and will be processed over an impermeable pad.

5. Aesthetics

The Motor Vehicle Recycling & Disposal Program is mandated by statute to require all Motor Vehicle Wrecking Facilities to shield their junk vehicles from public view. "Public view" is defined as any point six feet above the surface of the center of a public road from which the junk vehicles can be seen. The applicant must meet state shielding

requirements outlined in the Administrative Rule of Montana, 17.50.202 prior to licensure. The material and height of the shielding will be approved by the state before installation. The licensing of this facility isn't anticipated to change the aesthetics of the area since the applicant has used the natural topography of the area combined with dirt berms to shield the junk vehicles from public view.

6. Air Quality

Automotive fluids and refrigerant will be properly removed from the junk vehicles and disposed of in accordance with all applicable regulation, therefore, the impact to air quality is expected to be minimal.

9. Historical and archaeological sites

Based on the information gathered from the State Historic Preservation Office (SHPO), it was concluded that as long as there will be no disturbance or alteration to structures over fifty years of age that there is a low likelihood that cultural properties will be impacted. Therefore the SHPO feels that a recommendation for a cultural resource inventory is unwarranted at this time.

Potential Impacts on Human Environment

3. Local & state tax base & tax revenue

7. Quantity and distribution of employment

The establishment of a motor vehicle wrecking facility at the proposed location may provide a source of used motor vehicles or component parts for sale to the public. The issuance of a motor vehicle wrecking facility license will allow the applicant to: (1) Buy, sell, or deal in four or more vehicles per year of a type required to be licensed for the purpose of wrecking, dismantling, disassembling, or substantially altering the form of the motor vehicle; (2) Buy or sell component parts, in whole or in part, and deal in second-hand motor vehicle parts; and (3) Purchase wrecked vehicles from insurance companies. Insurance companies are required by state law to sell junk vehicles only to licensed motor vehicle wrecking yards. The operation of a motor vehicle wrecking facility may create an additional labor requirement and may result in additional employment. This employment and the employment requirements for the support services of this yard may provide a neutral to positive employment impact for the community.

9. Demands for governmental services

The issuance of a motor vehicle wrecking facility license will require administrative and inspection services of the Montana Department of Environmental Quality and the Hill County Junk Vehicle Program personnel.

11. Locally adopted environmental plans and goals

The site selection is not the responsibility of Motor Vehicle Recycling & Disposal Program, but rather the applicant's. The establishment of a motor vehicle wrecking facility at this location is outside of a zoned area and therefore, does not conflict with any existing zoning ordinances as certified by Clay Vincent, JV Coordinator, Hill County, Montana.

Effect on Adjoining Landowners and Land Uses
Other Site-Specific Information

Information gathered for the preparation of this Environmental Assessment reveals that directly adjacent to the proposed location are tracts of unoccupied land. The location of this wrecking facility should have minor or no impact on the adjoining landowners and land uses because of the management practices that have been noted in this EA.